

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
LUIS MERCEDES,	:	
	:	
Plaintiff,	:	
-against-	:	23 Civ. 6224 (LGS)
	:	
SAMPLES FROM MARS, LLC,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----	X	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the initial pretrial conference in this matter is scheduled for September 6, 2023.


WHEREAS, no significant issues were raised in the parties' joint letter or proposed case management plan. It is hereby

**ORDERED** that the September 6, 2023, initial pretrial conference is **CANCELLED**. If the parties believe that a conference would nevertheless be useful, they should inform the court immediately so the conference can be reinstated. The case management plan and scheduling order will issue separately. The parties' attention is directed to the provisions for periodic status letters, and the need for a pre-motion letter to avoid cancellation of the final conference and setting of a trial date. It is further

**ORDERED** that if Defendant seeks to file a motion to dismiss, they shall file a pre-motion letter pursuant to Individual Rules III.A.1 and III.C.2. It is further

**ORDERED**, regarding settlement discussions, the parties' request for a referral for settlement discussions through the S.D.N.Y. Mediation Program is **GRANTED**. A referral order will issue separately. The parties are apprised that participation in mediation does not provide cause to stay discovery. The parties should be aware that the Court does not extend the deadlines for fact and expert discovery absent compelling circumstances.

Dated: August 31, 2023  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE